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MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

TRANSMITTING

THE TREATY OF PEACE AND AMITY

BETWEEN

THE UNITED STATES AND HIS BRITANNIC MAJESTY.

FEBRUARY 20, 1815.
READ AND ORDERED TO BE PRINTED.

WASHINGTON CITY:

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MESSAGE.

To the Senate and House of Representatives of the United States.

I lay before congress copies of the treaty of peace and amity between the United States and his Britannic majesty, which was signed by the commissioners of both parties at Ghent, on the 24th of December, 1814, and the ratifications of which have been duly exchanged.

While performing this act, I congratulate you, and our constituents, upon an event which is highly honorable to the nation, and terminates with peculiar felicity, a campaign signalized by the most brilliant successes.

The late war, although reluctantly declared by congress, had become a necessary resort, to assert the rights and independence of the nation. It has been waged with a success which is the natural result of the wisdom of the legislative councils, of the patriotism of the people, of the public spirit of the militia, and of the valor of the military and naval forces of the country. Peace, at all times a blessing, is peculiarly welcome, therefore, at a period when the causes for the war have ceased to operate; when the government has demonstrated the efficiency of its powers of defence; and when the nation can review its conduct without regret, and without reproach.

I recommend to your care and benificence, the gallant men whose achievements, in every department of the military service, on the land and on the water, have so essentially contributed to the honor of the American name, and to the restora-

tion of peace. The feelings of conscious patriotism and worth, will animate such men, under every change of fortune and pursuit; but their country performs a duty to itself, when it bestows those testimonials of approbation and applause, which are, at once, the reward and the incentive to great actions.

The reduction of the public expenditures to the demands of a peace establishment, will, doubtless, engage the immediate attention of congress. There are, however, important considerations which forbid a sudden and general revocation of the measures that have been produced by the war. Experience has taught us that neither the pacific dispositions of the American people, nor the pacific character of their political institutions, can altogether exempt them from that strife which appears, beyond the ordinary lot of nations, to be incident to the actual period of the world; and the same faithful monitor demonstrates that a certain degree of preparation for war, is not only indispensable to avert disasters in the onset, but affords also the best security for the continuance of peace. The wisdom of congress will, therefore, I am confident, provide for the maintenance of an adequate regular force; for the gradual advancement of the naval establishment; for improving all the means of harbor defence; for adding discipline to the distinguished bravery of the militia; and for cultivating the military art, in its essential branches, under the liberal patronage of government.

The resources of our country were, at all times, competent to the attainment of every national object; but they will now be enriched and invigorated by the activity which peace will introduce into all the scenes of domestic enterprise and labor. The provision that has been made for the public creditors, during the present session of congress, must have a decisive effect in the establishment of

the public credit; both at home and abroad. The reviving interests of commerce will claim the legislative attention at the earliest opportunity; and such regulations will, I trust, be seasonably devised as shall secure to the United States their just proportion of the navigation of the world. The most liberal policy towards other nations, if met by corresponding dispositions, will, in this respect, be found the most beneficial policy towards ourselves. But there is no subjectt hat can enter with greater force and merit into the deliberations of congress, than a consideration ofthe means to preserve and promote the manufactures which have sprung into existence, and attained an unparalleled maturity throughout the United States during the period of the European wars This source of national independence and wealth, I anxiously recommend, therefore, to the prompt and constant guardianship of congress.

The termination of the legislative sessions will soon separate you, fellow citizens, from each other, and restore you to your constituents. I pray you to bear with you the expressions of my sanguine hope, that the peace which has been just declared, will not only be the foundation of the most friendly intercourse between the United States and Great Britain, but that it will also be productive of happiness and harmony in every section of our beloved country. The influence of your precepts and example must be every where powerful: and while we accord in grateful acknowledgments for the protection which Providence has bestowed upon us, let us never cease to inculcate obedience to the laws, and fidelity to the union, as constituting the palladium of the national independence and prosperity.

JAMES MADISON.

Washington, February 18, 1815.

Treaty of peace and amity between his Britannic majesty and the United States of America.

His Britannic majesty and the United States of America, desirous of terminating the war which has unhappily subsisted between the two countries, and of restoring, upon principles of perfect reciprocity, peace, friendship, and good understanding, between them, have, for that purpose, appointed their respective plenipotentiaries, that is to say: his Britannic majesty, on his part, has appointed the right honorable James lord Gambier, late admiral of the white, now admiral of the red squadron of his majesty's fleet, Henry Goulburn, esquire, a member of the imperial parliament, and under-secretary of state, and William Adams, esquire, doctor of civil laws: and the president of the United States, by and with the advice and consent of the senate thereof, has appointed John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin, citizens of the United States, who, after a reciprocal communication of their respective full powers, have agreed upon the following articles:

ARTICLE THE FIRST.

There shall be a firm and universal peace, between his Britannic majesty and the United States, and between their respective countries, territories, cities, towns, and people, of every degree, without exception of places or persons. All hostilities, both by sea and land, shall cease as soon as this treaty shall have been ratified by both parties, as herein after mentioned. All territory, places, and possessions, whatsoever, taken by either party from the other, during the war, or which may be taken after the signing of this treaty, excepting only the islands hereinafter mentioned, shall be restored without delay, and without causing any destruction, or carrying away any of the artillery or other

public property originally captured in the said forts or places, and which shall remain therein upon the exchange of the ratifications of this treaty, or any slaves or other private property. And all archives, records, deeds, and papers, either of a public nature, or belonging to private persons, which, in the course of the war, may have fallen into the hands of the officers of either party, shall be, as far as may be practicable, forthwith restored and delivered to the proper authorities and persons to whom they respectively belong. Such of the islands in the bay of Passamaquoddy as are claimed by both parties, shall remain in the possession of the party in whose occupation they may be at the time of the exchange of the ratifications of this treaty, until the decision respecting the title to the said islands, shall have been made in conformity with the fourth article of this treaty. No disposition made by this treaty, as to such possession of the islands and territories claimed by both parties, shall, in any manner whatever, be construed to affect the right of either.

ARTICLE THE SECOND.

Immediately after the ratifications of this treaty by both parties, as hereinafter mentioned, orders shall be sent to the armies, squadrons, officers, subjects, and citizens, of the two powers, to cease from all hostilities. And to prevent all causes of complaint which might arise on account of the prizes which may be taken at sea after the said ratifications of this treaty, it is reciprocally agreed, that all vessels and effects which may be taken after the space of twelve days from the said ratifications, upon all parts of the coast of North America, from the latitude of twenty-three degrees north, to the latitude of fifty degrees north, and as far eastward in the Atlantic ocean as the thirty-sixth degree of west longitude from the meridian

of Greenwich, shall be restored on each side: that the time shall be thirty days in all other parts of the Atlantic ocean north of the equinoxial line or equator; and the same time for the British and Irish channels, for the gulf of Mexico and all parts of the West Indies: forty days for the north seas, for the Baltic, and for all parts of the Mediterranean: sixty days for the Atlantic ocean south of the equator, as far as the latitude of the Cape of Good Hope: ninety days for every part of the world south of the equator: and one hundred and twenty days for all other parts of the world, without exception.

ARTICLE THE THIRD.

All prisoners of war taken on either side, as well by land as by sea, shall be restored as soon as practicable after the ratifications of this treaty, as hereinafter mentioned, on their paying the debts which they may have contracted during their captivity. The two contracting parties respectively engage to discharge, in specie, the advances which may have been made by the other for the sustenance and maintenance of such prisoners.

ARTICLE THE FOURTH.

Whereas it was stipulated by the second article in the treaty of peace, of one thousand seven hundred and eighty-three, between his Britannic majesty and the United States of America, that the boundary of the United States should comprehend all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries, between Nova Scotia, on the one part, and East Florida on the other, shall respectively touch the bay of Fundy and the Atlantic ocean, excepting such islands as now are, or heretofore have been, within the li-

mits of Nova Scotia; and whereas the several islands in the bay of Passamaquoddy, which is part of the bay of Fundy, and the island of Grand Menon. in the said bay of Fundy, are claimed by the United States, as being comprehended within their aforesaid boundaries, which said islands are claimed as belonging to his Britannic majesty, as having been at the time of, and previous to. the aforesaid treaty of one thousand seven hundred and eighty three, within the limits of the province of Nova Scotia. In order, therefore, finally to decide upon these claims, it is agreed that they shall be referred to two commissioners, to be appointed in the following manner, viz: One commissioner shall be appointed by his Britannic majesty, and one by the president of the United States, by and with the advice and consent of the senate thereof; and the said two commissioners so appointed shall be sworn impartially to examine and decide upon the said claims according to such evidence as shall be laid before them on the part of his Britannic majesty and of the United States respectively. The said commissioners shall meet at St. Andrews, in the province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said commissioners shall, by a declaration or report under their hands and seals decide to which of the two contracting parties the several islands aforesaid do respectively belong, in conformity with the true intent of the said treaty of peace of one thousand seven hundred and eighty three. And if the said commissioners shall agree in their decision, both parties shall consider such decision as final and conclusive. It is further agreed, that in the event of the two commissioners differing upon all or any of the matters so referred to them, or in the event of both or either of the said com-

missioners refusing or declining, or wilfully omitting to act as such, they shall make, jointly or separately, a report or reports, as well to the government of his Britannic majesty as to that of the United States, stating, in detail, the points on which they differ, and the grounds upon which their respective opinions have been formed, or the grounds upon which they or either of them, have so refused, declined or omitted to act. And his Britannic majesty and the government of the United States hereby agree to refer the report or reports of the said commissioners to some friendly sovereign or state, to be then named for that purpose, and who shall be requested to decide on the differences which may be stated in the said report or reports, or upon the report of one commissioner, together with the grounds upon which the other commissioner shall have refused, declined or omitted to act, as the case may be. And if the commissioner so refusing, declining, or omitting to act, shall also wilfully omit to state the grounds upon which he has so done, in such manner that the said statement may be referred to such friendly sovereign or state, together with the report of such other commissioner, then such sovereign or state shall decide ex parte upon the said report alone. And his Britannic majesty and the government of the United States engage to consider the decision of such friendly sovereign or state to be final and conclusive on all the matters so referred.

ARTICLE THE FIFTH.

Whereas neither that point of the highlands lying due north from the source of the river St. Croix, and designated in the former treaty of peace between the two powers, as the north-west angle of Nova Scotia, nor the north-westernmost head of Connecticut river, has yet been ascertained: and whereas that part of the boundary line between the dominions of the two

powers, which extends from the source of the river St. Croix directly north to the abovementioned north-west angle of Nova Scotia, thence along the said highlands which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic ocean, to the north-westernmost head of Connecticut river, thence down along the middle of that river to the forty-fifth degree of north latitude, thence by a line due west on said latitude, until it strikes the river Iroquois or Cataraguy, has not yet been surveyed; it is agreed, that for these several purposes two commissioners shall be appointed, sworn and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding article, unless otherwise specified in the present article. The said commissioners shall meet at St. Andrews, in the province of New Brunswick, and shall have power to adjourn to such other place or places, as they shall think fit. The said commissioners shall have power to ascertain and determine the points abovementioned, in conformity with the provisions of the said treaty of peace of one thousand seven hundred and eighty-three, and shall cause the boundary aforesaid, from the source of the river St. Croix to the river Iroquois or Cataraguy, to be surveyed and marked, according to the said provisions. The said commissioners shall make a map of the said boundary, and annex to it a declaration under their hands and seals, certifying it to be the true map of the said boundary, and particularizing the latitude and longitude of the north-west angle of Nova Scotia, of the north-westernmost head of Connecticut river, and of such other points of the said boundary, as they may deem proper. And both parties agree to consider such map and declaration as finally and conclusively fixing the said boundary. And in the event of the said two commissioners differing, or both, or either of them refusing, declining, or wilfully omitting to act, such reports, declarations or statements shall

be made by them, or either of them, and such reference to a friendly sovereign or state shall be made, in all respects, as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE THE SIXTH.

Whereas, by the former treaty of peace that portion of the boundary of the United States from the point where the forty-fifth degree of north latitude strikes the river Iroquois or Cataraguy to the lake Superior, was declared to be "along the middle of said river into lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and lake Erie, thence along the middle of said communication into lake Erie, through the middle of said lake until it arrives at the water communication into the lake Huron; thence through the middle of said lake to the water communication between that lake and lake Superior." And whereas doubts have arisen what was the middle of the said river, lakes and water communications, and whether certain islands lying in the same were within the dominions of his Britannic majesty or of the United States: In order, therefore, finally to decide these doubts, they shall be referred to two commissioners, to be appointed, sworn, and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding article, unless otherwise specified in this present article. The said commissioners shall meet, in the first instance, at Albany, in the state of New York, and shall have power to adjourn to such other place or places as they shall think fit: the said commissioners shall, by a report or declaration, under their hands and seals, designate the boundary through the said river, lakes, and water communications, and decide to which of the two contracting parties the several islands lying within the said river, lakes, and water communications, do res-

pectively belong, in conformity with the true intent of the said treaty of one thousand seven hundred and eighty-three. And both parties agree to consider such designation and decision as final and conclusive. And in the event of the said two commissioners differing, or both, or either of them, refusing, declining, or wilfully omitting to act, such reports, declarations or statements, shall be made by them, or either of them, and such reference to a friendly sovereign or state shall be made in all respects as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE THE SEVENTH.

It is further agreed that the said two last mentioned commissioners, after they shall have executed the duties assigned to them in the preceding article, shall be, and they are hereby authorized, upon their oaths, impartially to fix and determine, according to the true intent of the said treaty of peace of one thousand seven hundred and eighty-three, that part of the boundary between the dominions of the two powers, which extends from the water communication between lake Huron and lake Superior to the most north-western point of the lake of the Woods, to decide to which of the two parties the several islands lying in the lakes, water communications and rivers forming the said boundary, do respectively belong, in conformity with the true intent of the said treaty of peace of one thousand seven hundred and eighty-three; and to cause such parts of the said boundary, as require it, to be surveyed and marked. The said commissioners shall, by a report or declaration under their hands and seals, designate the boundary aforesaid, state their decision on the points thus referred to them, and particularize the latitude and longitude of the most north-western point of the lake of the Woods, and of such other parts of the said boundary as they may deem proper. And both parties agree to consider such desig-

nation and decision as final and conclusive. And in the event of the said two commissioners differing, or both, or either of them refusing, declining, or wilfully omitting to act, such reports, declarations or statements shall be made by them, or either of them, and such reference to a friendly sovereign or state shall be made in all respects as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE THE EIGHTH.

The several boards of two commissioners mentioned in the four preceding articles, shall respectively have power to appoint a secretary, and to employ such surveyors, or other persons, as they shall judge necessary. Duplicates of all their respective reports, declarations, statements, and decisions, and of their accounts, and of the journal of their proceedings, shall be delivered by them to the agents of his Britannic majesty, and to the agents of the United States, who may be respectively appointed and authorized to manage the business on behalf of their respective governments. The said commissioners shall be respectively paid in such manner as shall be agreed between the two contracting parties, such agreement being to be settled at the time of the exchange of the ratifications of this treaty. And all other expenses attending the said commissioners, shall be defrayed equally by the two parties. And in the case of death, sickness, resignation, or necessary absence, the place of every such commissioner respectively shall be supplied in the same manner as such commissioner was first appointed, and the new commissioner shall take the same oath or affirmation, and do the same duties. It is further agreed between the two contracting parties, that in case any of the islands mentioned in any of the preceding articles which were in the possession of one of the parties prior to the commencement of the present war be-

tween the two countries, should, by the decision of any of the boards of commissioners aforesaid, or of the sovereign or state so referred to, as in the four next preceding articles contained, fall within the dominions of the other party, all grants of land made previous to the commencement of the war by the party having had such possession, shall be as valid as if such island or islands had by such decision or decisions been adjudged to be within the dominions of the party having had such possession.

ARTICLE THE NINTH.

The United States of America engage to put an end, immediately after the ratification of the present treaty, to hostilities with all the tribes or nations of Indians, with whom they may be at war at the time of such ratification; and forthwith to restore to such tribes or nations, respectively, all the possessions, rights, and privileges, which they may have enjoyed or been entitled to in one thousand eight hundred and eleven, previous to such hostilities: *Provided always,* That such tribes or nations shall agree to desist from all hostilities against the United States of America, their citizens and subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly. And his Britannic majesty engages, on his part, to put an end, immediately after the ratification of the present treaty, to hostilities with all the tribes or nations of Indians with whom he may be at war at the time of such ratification; and forthwith to restore to such tribes or nations, respectively, all the possessions, rights, and privileges, which they may have enjoyed or been entitled to in one thousand eight hundred and eleven, previous to such hostilities: *Provided always,* That such tribes or nations shall agree to desist from all hostilities against his Britannic majesty, and his subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly.

ARTICLE THE TENTH.

Whereas the traffic in slaves is irreconcileable with the principles of humanity and justice: And whereas both his majesty and the United States are desirous of continuing their efforts to promote its entire abolition; it is hereby agreed that both the contracting parties shall use their best endeavors to accomplish so desirable an object.

ARTICLE THE ELEVENTH.

This treaty, when the same shall have been ratified on both sides, without alteration by either of the contracting parties, and the ratifications mutually exchanged, shall be binding on both parties, and the ratifications shall be exchanged at Washington, in the space of four months from this day, or sooner if practicable.

In faith whereof, we, the respective plenipotentiaries, have signed this treaty, and have hereunto affixed our seals.

Done, in triplicate, at Ghent, the twenty-fourth day of December, one thousand eight hundred and fourteen.

(L. S.) GAMBIER,
(L. S.) HENRY GOULBURN,
(L. S.) WILLIAM ADAMS,
(L. S.) JOHN QUINCY ADAMS,
(L. S.) J. A. BAYARD,
(L. S.) H. CLAY,
(L. S.) JONA. RUSSELL,
(L. S.) ALBERT GALLATIN.

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